## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

MARY PICKERING, as Administratix of the Estate of CHARMENE PICKERING, deceased

JUDGMENT 03-CV- 5654 (ARR)

Plaintiff,

-against-

SAMUEL MERCADO,

Defendant. -----X

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on April 17, 2006, granting defendant's motion for summary judgment in its entirety; dismissing the plaintiff's negligence and wrongful death claims without prejudice; and dismissing plaintiff's action; it is

ORDERED and ADJUDGED that plaintiff take nothing of the defendant; that defendant's motion for summary judgment is granted in its entirety; that the plaintiff's negligence and wrongful death claims are dismissed without prejudice; and that plaintiff's action is dismissed.

Dated: Brooklyn, New York April 18, 2006

ROBERT C. HEINEMANN Clerk of Court